



DEPARTMENT OF THE ENVIRONMENT

2500 Broening Highway, Baltimore, Maryland 21224

Area Code 301 • 831-3438

William Donald Scheffer
Governor

Martin W. Walsh, Jr.
Secretary

April 4, 1989

Dr. Paul C. Krueger, Chairman
Technical Committee of M.S.G.S.
The BOC Group
100 Mountain Avenue
Murray Hill
New Providence, New Jersey 07974

Dear Dr. Krueger:

We have reviewed all of the documents submitted per your correspondence dated March 3, 1989. The Hazardous and Solid Waste Management Administration (HSWMA) has not been able to obtain additional materials on the Certificate of Approval 1969-21. We are submitting to you our proposed language regarding the Certificate.

After a review of the available material, we feel our proposed language reflects the true nature of the Certificate. The following statement will replace the sentence "These wastes were disposed of at the site under a permit issued by the State in 1969," on page 3-1, paragraph 3:

Airco Chemicals and Plastics obtained a Certificate of Approval #1969-21 to discharge "industrial wastewaters." The effective date of the Certificate was March 13, 1969. However, "industrial wastewaters" and the location of the disposal site were not defined in the Certificate. Condition #9 of the Certificate required Airco Chemicals and Plastics to take corrective action for any contamination affecting surface and groundwater resources. A copy of the Certificate is attached and incorporated by reference.

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①
Dr. Paul C. Krueger
Page Two

If you have any question or comments, please contact me at
(301)-631-3438.

Sincerely,

Frank Henderson

Frank Henderson, Chief
CERCLA Response Division

FH:amf

cc: Ms. Sharon Feldstein
Patricia Smith, Esquire
Mr. Ronald Nelson
Mr. Michael Kilpatrick
Mr. David Healy
Mr. William Cahill

305500

SECRET
RICH E. FROST
CHIEF

J. HENRY SCHULTZ
R. LAMAR GREEN
ROBERT J. MCGEE
A. ELLISON

ATTACHMENT A



RECEIVED

MAR 13 PM 2:18

DIRECTOR
P. W. MANCE

STATE OF MARYLAND
DEPARTMENT OF WATER RESOURCES
STATE OFFICE BUILDING
ANNAPOLIS, MARYLAND 21401

Effective Date: March 13, 1969

Airco Chemicals and Plastics
Certificate of Approval #1969-21

Airco Chemicals and Plastics
329 West Main Street
P. O. Box 36
Elkton, Maryland 21921

Gentlemen:

Pursuant to the provisions of the Maryland Department of Water Resources Law and Regulation 4.7, approval is hereby granted to Airco Chemicals and Plastics, 329 West Main Street, Elkton, Maryland 21921, to dispose of industrial wastewaters into quarried-out gravel pits located on the Maryland Sand and Gravelstone Co., approximately 2 miles west of Elkton and 3/4 mile north of Route 40, Cecil County, Maryland, in accordance with the letter report, submitted by Mr. R. P. Gasaway, acting as authorized agent for Airco Chemicals and Plastics. The report, consisting of 2 sheets, and dated January 31, 1969, is made a part of this Certificate of Approval.

1. It is and remains the responsibility of the Company to construct, operate and continuously maintain waste treatment facilities in a satisfactory manner, so as to meet at all times the requirements of the State of Maryland including the Water Quality Standards and other such requirements imposed by the laws and regulations of the State and County Departments of Health.
2. The Department of Water Resources in issuing this approval has relied upon the statements and representations as reported by the Company.
3. The project covered by this Certificate shall be constructed and operated in accordance with all plans and specifications submitted. If changes are necessary, revised plans and specifications must be submitted and a supplemental approval issued by the Department of Water Resources prior to actual construction.

4. This certificate does not take into consideration the structural stability of any units or parts of the project.
5. This approval is void after August 12, 1969 unless construction on this project has been started.
6. This approval may be immediately revoked upon violation of any of the preceding conditions or failure to comply with the conditions stated in the report.
7. If for any reason the Company discontinues the use of the site for the disposal of the wastewater, the Department shall be notified in writing, and the material remaining in the pits shall be covered and graded so as to conform with the surrounding area.
8. It shall be the responsibility of the Company to provide adequate security and safety measures to prevent the disposal area from becoming a safety hazard.
9. If, at any time in the future, it is determined that the presence of the industrial wastes are in any way affecting the surface or ground water resources of the region, the Company shall institute whatever measures are necessary to correct the condition.

-4-
(CONTINUED ON NEXT PAGE)

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10. IMPORTANT:

Immediately after these waste treatment and disposal facilities have been completed and placed into operation, the Department must be notified of this fact so that inspection may be made by this office.

MARYLAND DEPARTMENT OF WATER RESOURCES

BY: Paul W. McKee
Director

ACCEPTANCE CLAUSE

1. This Certificate of Approval and its Conditions are accepted by: Paul W. McKee

Acting as Authorized Agent for: Airco Chemicals
and Plastics Division of Airco Products Co. Inc.

2. Permission is hereby granted to representatives of the Department of Water Resources to enter in or upon the subject premises at any reasonable time for the purpose of conducting inspections pursuant to the provisions of the Water Resources Law as contained in Article 96A of the Annotated Code of Maryland, as amended.

Accepted by: Paul W. McKee

Acting as Authorized Agent for: Airco Chemicals
and Plastics Division of Airco Products Co. Inc.

Date: March 12, 1969

Witnessed by: E. Margaret Burns

PA:BA:mf

cc: Cecil County Health Department

E. MARGARET BURNS
Notary Public, State of New York
No. 03-050166, Qual. in Bronx Co.
Certs. filed in New York and Suffolk Counties
Commission Expires March 04, 1969



DEPARTMENT OF THE ENVIRONMENT

2500 Broening Highway, Baltimore, Maryland 21224

Area Code 301 • 631-3439

William Donald Schaefer
Governor

Martin W. Walsh, Jr.
Secretary

April 21, 1989

Ms. Laura Boornazian, Chief
DELMARVA/DC/WV CERCLA
Remedial Enforcement Section
U.S. Environmental Protection Agency
841 Chestnut Building
Philadelphia, Pennsylvania 19107

Dear Ms. Boornazian:

This letter is in response to your March 3, 1989 request that the State of Maryland forward to you a list of Applicable or Relevant and Appropriate Requirements (ARAR) for the Maryland Sand, Gravel and Stone site. The ARARs that we are aware of are:

1. "Quality of Drinking Water in Maryland," Code of Maryland Regulations (COMAR) 26.04.01;
2. "Well Construction," (COMAR) 26.04.04;
3. "Water Pollution," (COMAR) 26.08.01 through 26.08.08;
4. "Erosion and Sediment Control," (COMAR) 26.09.01;
5. "Oil Pollution," (COMAR) 26.10.01;
6. "Air Quality," (COMAR) 26.11.01 through 26.11.21;
7. "Disposal of Controlled Hazardous Substances," (COMAR) 26.13.01 through 26.13.09; and
8. "Chesapeake Bay Critical Area Criteria."

305584

Ms. Laura Boornazian, Chief
Page Two

Please do not hesitate to contact me at (301)631-3438 if you have any questions or need any clarification on this information.

Sincerely,

Frank Henderson

Frank Henderson, Chief
CERCLA Response Division

FH:kw

cc: Mr. Ronald Nelson
Mr. Michael Kilpatrick
Mr. William Cahill

395595

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

441 Chestnut Building
Philadelphia, Pennsylvania 19107

SUBJECT: Request for review of ARARs

DATE: December 30, 1988

FROM: Roy L. Smith
Toxicologist (3HW16)

TO: Sharon Feldstein
EPM (3HW16)

In response to your request, I've updated your ARARs on the attached table. You'll notice several drastic changes.

Bis(2-ethylhexyl) phthalate has been classified as a B2 (probable) carcinogen, and its ARAR (at 10^{-6} risk) has decreased four orders of magnitude. The ARAR for dibutyl phthalate has decreased one order of magnitude, based on an RfD in IRIS. The old chromium $+6$ ARAR (which was based on the inhaled potency factor) was too conservative: ingested chromium is not believed to be carcinogenic. The present MCL for total chromium is protective for Cr^{+6} . The MCL for xylene has been raised $1\frac{1}{2}$ orders of magnitude, which is consistent with the IRIS RfD.

Less drastic changes include lower ARARs for acetone and 2-hexanone, and higher ARARs for chlorobenzene, 1,2-trans-dichloroethylene, dichloromethane (methylene chloride), ethylbenzene, methyl ethyl ketone, methyl isobutyl ketone, and naphthalene.

Attachment
cc: Laura Boornazian (3HW16)

305536

**Human Health-Based Cleanup Goals for Ingestion
of Groundwater and Surface Water**

30 December 1988

Pollutant	Old ARAR (ug/l)	New ARAR (ug/l)	Basis for Change
Acetone	20000	3500	RfD (IRIS)
Benzene	5	5	
Bis(2-ethylhexyl)phthalate	21000	3	10 ⁻⁶ (IRIS)
Chlorobenzene	80	100	MCL
Chloroform	100	100	
Chromium III and Compounds	50	---	
Chromium VI and Compounds	0.01	---	
Chromium (total)		50 ¹	MCL
Dibutyl Phthalate	44000	3500	RfD (IRIS)
Dichloroethane (1,1-)	4000	4000	
Dichloroethane (1,2-)(EDC)	5	5	
Dichloroethylene (1,1-)	7	7	
Dichloroethylene (1,2-t-)	70	350	RfD (IRIS)
Dichloromethane	1	5	10 ⁻⁶ (IRIS)
Ethylbenzene	880	700	MCL
Hexanone (2-)	10000	3500	RfD (estimate)
Lead	50	50	
Methyl Ethyl Ketone	700	1750	RfD (IRIS)
Methyl Isobutyl Ketone	700	1750	RfD (IRIS)
Naphthalene	9100	14000	RfD (PHRED)
Tetrachloroethylene	1	1	
Tetrahydrofuran	10000	10000	
Toluene	2000	2000	
Trichloroethane (1,1,1-)	200	200	
Trichloroethane (1,1,2-)	1	1	
Trichloroethylene	5	5	
Vinyl Chloride	2	2	
Xylene (mixed)	440	10000	MCL

1: The MCL for total chromium is protective even for 100% Cr⁶⁺.

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